

AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 564**

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**Introduced by Senator Hollingsworth**

February 27, 2009

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~~An act relating to sexually violent predators.~~ *An act to add Section 6610 to the Welfare and Institutions Code, relating to sexually violent predators.*

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Hollingsworth. Sexually violent predators.

*Existing law provides for the civil commitment of criminal offenders who have been determined to be sexually violent predators for treatment in a secure state hospital facility, as specified. Existing law also sets forth provisions governing the release of sexually violent predators from state custody.*

*This bill would require sexually violent predators who are released from civil commitment in a state hospital after January 1, 2010, to be placed in a reentry facility administered by the State Department of Mental Health until suitable housing is found.*

~~Existing law requires sex offenders to register, as specified.~~

~~This bill would express the intent of the Legislature to enact legislation that would prohibit anyone ever declared a Sexually Violent Predator from registering as a transient pursuant to Megan's Law. The bill would further express the intent of the Legislature to enact legislation that would require these offenders be housed in a reentry facility.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature hereby finds and declares the*  
2     *following:*

3     *(a) The High Risk Sex Offender and Sexually Violent Predator*  
4     *Task Force, in their December 2006 report, stated that,*  
5     *“[h]omeless releases cause an unacceptable and unnecessary risk*  
6     *to the public because the individual cannot be properly supervised*  
7     *and many of the terms and conditions of release cannot be enforced*  
8     *(such as global positioning satellite monitoring, curfews, and*  
9     *associations with other felons). The Task Force believes that the*  
10    *release of any SVP without a home into the community creates an*  
11    *unacceptably high risk to the public and the SVP, and is making*  
12    *specific recommendations in this report to improve the SVP*  
13    *placement process.”*

14    *(b) Therefore, it is the intent of the Legislature to provide*  
15    *appropriate reentry housing for SVPs until suitable residential*  
16    *housing may be found.*

17    *SEC. 2. Section 6610 is added to the Welfare and Institutions*  
18    *Code, to read:*

19    *6610. Notwithstanding any other law, any sexually violent*  
20    *predator who is released from civil commitment in a state hospital*  
21    *after January 1, 2010, pursuant to this article shall be placed in*  
22    *a reentry facility administered by the State Department of Mental*  
23    *Health until suitable housing is found for the sexually violent*  
24    *predator.*

25    ~~*SECTION 1. It is the intent of the Legislature to enact*~~  
26    ~~*legislation that would prohibit anyone ever declared a Sexually*~~  
27    ~~*Violent Predator from registering as a transient pursuant to*~~  
28    ~~*Megan’s Law. It is further the intent of the Legislature to enact*~~  
29    ~~*legislation that would require these offenders to be in a reentry*~~  
30    ~~*facility.*~~